

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

MON CHERI BRIDALS, INC., Civil No. 04-1739 (AET)

Plaintiff, :
Defendant, :
Case No. :
VERDICT SHEET

WEN WU, individually, WEN WU
d/b/a JACQUELIN BRIDALS, WEN
WU d/b/a PRIVATE COLLECTION,
WEN WU d/b/a CHRISTINA WU,
WEN WU d/b/a LABELLE FASHIONS,
WEN WU d/b/a TIFFANY DESIGNS,
UNITED WU ENTERPRISES, INC.,
FORMOSA SUNRISE CORPORATION,
MDTW, INC., MIRAGE COLLECTION
INC., BERNIE KAITZ, and ABC
COMPANIES, 1-10 (fictitious
designations).

Defendants.

We, the Jury, reach the following verdict:

BREACH OF CONTRACT

1. Did Mon Cheri prove by a preponderance of the evidence that Mon Cheri and Mr. Wu and his companies entered into an enforceable contract?

Yes No

If you answered "yes," then proceed to question #2. If you answered "no," then skip to question # 5.

2. Did Mr. Wu and his companies breach that contract?

Yes No _____

If you answered "yes," then proceed to question #3. If you answered "no," then skip to question # 5.

3. Did Mr. Wu and his companies' breach cause a loss to Mon Cheri?

Yes No _____

If you answered "yes," then proceed to question #4. If you answered "no," then skip to question # 5.

4. What amount of money will fairly and reasonably compensate Mon Cheri for Mr. Wu and his companies' breach?

\$ 101,000

Proceed to question # 5.

COPYRIGHT INFRINGEMENT

5. Did Mon Cheri prove by a preponderance of the evidence that it owns a valid copyright on the following registrations?

Dress Style # 21917 Yes No _____

Dress Style # 22964	Yes <input checked="" type="checkbox"/> No _____
Dress Style # 23942	Yes <input checked="" type="checkbox"/> No _____
Dress Style # 12930	Yes <input checked="" type="checkbox"/> No _____
Dress Style # 14926	Yes <input checked="" type="checkbox"/> No _____
Dress Style# 11926	Yes <input checked="" type="checkbox"/> No _____
Dress Style# 14637	Yes <input checked="" type="checkbox"/> No _____
Dress Style # 13668	Yes <input checked="" type="checkbox"/> No _____
Dress Style # 15681	Yes <input checked="" type="checkbox"/> No _____

If you answered "no" to any of the above, for those registrations your deliberations are concluded with respect to the claims for copyright infringement and you should proceed to question # 9. If you answered "yes", proceed to # 6.

6. Did Mr. Wu and his companies prove by clear and convincing evidence that Mon Cheri knowingly and intentionally failed to advise the copyright office of facts which might have occasioned the rejection of any of the applications?

Yes _____ No

If you answered "yes" to # 6, proceed to # 9. If you answered "no" to # 6, proceed to # 7.

7. Did plaintiff prove by a preponderance of the evidence that Mr. Wu and his companies infringed any valid copyright registrations?

# 21917	Yes <input checked="" type="checkbox"/> No _____
# 22964	Yes <input checked="" type="checkbox"/> No _____
# 23942	Yes <input checked="" type="checkbox"/> No _____

# 12930	Yes <input checked="" type="checkbox"/>	No _____
# 14926	Yes <input checked="" type="checkbox"/>	No _____
# 11926	Yes <input checked="" type="checkbox"/>	No _____
# 14637	Yes <input checked="" type="checkbox"/>	No _____
# 13668	Yes <input checked="" type="checkbox"/>	No _____
# 15681	Yes <input checked="" type="checkbox"/>	No _____

If you answered "yes" to any of the above, proceed to question # 8.

If not, skip to question # 9.

8. What amount of money will fairly and reasonably compensate Mon Cheri for Mr. Wu and his companies' acts of infringement?

\$ 107,000.

Proceed to question # 9.

UNFAIR COMPETITION --- PASSING-OFF

9. Did Mon Cheri prove by a preponderance of the evidence that Mr. Wu and his companies passed-off their dresses by fraudulently marketing their dresses as the actual dresses of Mon Cheri?

Yes No _____

If your answer is "yes", continue to question # 10. If "no", your deliberations are concluded.

10. Did Mr. Wu and his companies' acts of passing-off cause Mon Cheri to suffer damages?

Yes ✓ No _____

If your answer is "yes", proceed to # 11. If your answer is "no", return to the courtroom, your deliberations are over. Just have the foreperson sign the verdict sheet.

11. What amount of money will fairly and reasonably compensate Mon Cheri for Mr. Wu and his companies' acts of passing-off?

\$ 110,110

Answer the following question # 12 only if you answered "yes" to questions # 9 and # 10.

12. Do you find that Mon Cheri is entitled to punitive damages from Mr. Wu and his companies?

Yes ✓ No _____

If so, in what amount? \$ 375,000

Date: 4/4/08